

ORIGINAL CT **UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF TEXAS**

Ft. Worth Division

FILED  
DISTRICT COURT  
NORTHERN DIST. OF TX.  
FT. WORTH DIVISION

2009 DEC 31 AM 11:49

CLERK OF COURT

David Lee James

Plaintiff

v. J B Black AKA James Black/James, Individually,  
John L. Loomis & Associates, PC, Laurenzo, Individually  
1st Alliance Mortgage LLC DBA Alliance Funding LLC, Jill  
Gallagher, Kroll Factual Data Inc and Does 1-18  
Defendant

**4-09 CV-776-Y**

Civil Action No.

COMPLAINT

See  
Attachment

Date 12-30-2009  
Signature David Lee James  
Print Name David Lee James  
Address 6735 meadowcrest Dr. A  
City, State, Zip Arlington Tx. 76002  
Telephone 817-874-1438

1 **David L James**  
2 **6735 Meadowcrest Dr.**  
3 **Arlington, TX 76002**

4 UNITED STATES DISTRICT COURT  
5 NORTHERN DISTRICT OF TEXAS (Fort Worth)  
6  
7

8 DAVID LEE JAMES,  
9 Plaintiff,

10 vs.

11 J B Black aka James Black/James  
12 B Black Individually, John L.  
13 Loomis & Associates, PC,  
14 Lorenzo, Individually, 1<sup>st</sup>  
15 Alliance Mortgage LLC DBA  
16 Alliance Funding LLC, Jill  
17 Gallagher, Kroll Factual Data  
18 Inc and Does 1-10. Defendant

) Case No.:

) **FAIR CREDIT REPORTING ACT,**  
) **TEXAS FINANCE CODE & TEXAS**  
) **BUSINESS AND COMMERCE CODE**  
) **COMPLAINT**

19  
20 Plaintiff David Lee James brings this action against all  
21 known and unknown defendants under the Fair Credit Reporting  
22 Act; Texas Finance Code; Texas Penal Code; Business and Commerce  
23 Code; The true names and capacities, whether individual,  
24 corporate, associate, or otherwise of defendants named herein as  
25 Does 1 through 10, inclusive, are unknown to plaintiff who  
26 therefore sues these defendants by such fictitious names.

27 Plaintiff will amend this Complaint to show the true names  
28 and capacities of these defendants when the same have been  
29 ascertained.

30 Plaintiff is informed and believes that each fictitiously  
31 named defendant is responsible in law and in fact for the  
32 obligations alleged herein.

1 Plaintiff is informed and believes and thereon alleges that  
2 at all relevant times each of the defendants was acting within  
3 the scope and course of his or her agency and employment and  
4 seeks damages to included but not limited to Punitive Damages,  
5 Injunctive Relief, Lifting of veil of Corporation; any and all  
6 damages afforded Plaintiff under Federal, Commerce, State and  
7 Local laws.

8  
9 **BACKGROUND**

10  
11 On or about August 13, 2009 I entered into an agreement  
12 with an individual named J B Black aka James Black/James B  
13 Black. J B Black represented to me that he owned and operated a  
14 Credit Service Organization (CSO) named John L. Loomis, PC and  
15 that he had the knowledge and skills to get my credit scores  
16 above 700 and, if necessary, his company would file a lawsuit on  
17 my behalf and represent my interest. [See Exhibit A (CLEINT  
18 AUTHORIZATION FORM)].

19 J B Black told me that his services would cost me Two  
20 Thousand \$2,000.00 (USD) Dollars. However, J B Black agreed to  
21 accept \$1,000.00 dollars, 50% up front and the remaining payment  
22 when he successfully got my credit scores above 700. I paid J B  
23 Black the agreed amount \$1,000.00 up front to commence services.  
24 See Exhibit B. (Copy Check#108 date 8/13/09) After J B Black  
25 confirmed receipt of the \$1,000.00, J B Black subsequently faxed  
26 to me several documents including an 8 page document titled  
27 "**Kroll Factual Data BUREAU**". [See Exhibit C.(Kroll Factual Data  
28 BUREAU)]. After reviewing this document I had received via fax  
29 from J B Black, I observed at page 7 of this document it was  
30 titled "**Notice To Home Loan Applicant**". It also contained  
31 identifying information with respect to "**1ST ALLIANCE MORTGAGE,**  
32 **LLC-LAURENZO**"; "**Report ID: A4406BX00137074**". It should be noted

1 that I have never applied for nor have I filled out any  
2 application for a mortgage or home loan with a company called 1<sup>st</sup>  
3 Alliance Mortgage! Also, I have never authorized said company to  
4 pull and/or review my personal credit information. Therefore, I  
5 do believe 1<sup>st</sup> Alliance Mortgage requested and obtained my credit  
6 report from Kroll Factual Data Inc without my consent or  
7 authorization.

8 I immediately phoned J B Black and left voice message  
9 regarding the faxed documents he forwarded to me. I got no  
10 response. After several minuets passed, I again made an attempt  
11 to reach J B Black but to no avail, I again got a voice response  
12 message. I have made repeated attempts to make contact with J B  
13 Black from August 14 - 19, 2009 again my efforts were fruitless.

14 On or about September 15, 2009 I received a written  
15 questionnaire from the Magistrate Judge of the United States  
16 District Court for the Northern District of Texas-Dallas.  
17 Alarmed and not knowing how to accurately respond to the Courts  
18 Questionnaire, I again made attempts to contact J B Black via  
19 telephone number 281-806-4476 but to no avail. I again left  
20 messages informing of my receipt of documents from the Court and  
21 for a return call and again my efforts bear no fruit. I then  
22 began to feel I had been duped and defrauded.

23 I, however, being undeterred by my unfortunate  
24 circumstances and in effort to see to it that no other consumer  
25 experience a similar faith, has thus far over spent over  
26 \$10,000.00 dollars in cost to mitigate my losses and pursue my  
27 rights under the Fair Credit Reporting Act, Texas Administrative  
28 and Finance Code, 15 U.S.C. and other related laws statues and  
29 regulations.

30 This costly and tireless mitigating efforts has revealed  
31 that John L. Loomis & Associates, PC is in fact a Michigan  
32 corporation [See Exhibit D. (Franchise Tax Certification of

Account Status)] and is not registered to do business in the State of Texas and which defendant J B Black aka James Black or James B Black may have acquired and/or become affiliated with through illegal and/or suspect means. I have discovered that 1<sup>st</sup> Alliance Mortgage LLC/DBA Alliance Funding LLC is a Delaware corporation and is properly registered to do business in the State of Texas. [See Exhibit E. (Franchise Tax Certification of Account Status)] I have discovered that Kroll Factual Data, Inc is a Colorado corporation and is properly registered to do business in the State of Texas. [See Exhibit F. (Franchise Tax Certification of Account Status)]

Also, the agreement I entered into with J B Black took place in the State of Texas and in fact J B Black has at all times resided in the State of Texas(Houston).

### **PARTIES**

I. Plaintiff, David Lee James, Pro se is a "Consumer" as defined by FCRA 1681(a). A "Consumer" as defined by Texas Finance Code 393.001(1); a "consumer" as defined by the Business and Commerce Code Chapter 17, Subchapter E Section 1745.(3)(4)

II. Upon information and belief, Defendant J B BLACK AKA JAMES BLACK/JAMES B BLACK is a "person" as defined by FCRA 1681(a), a Credit services organization as defined by Texas Finance Code 393.001(3); a "consumer" as defined by the Business and Commerce Code Chapter 17, Subchapter E Section 1745.(3)(4)

III. Upon information and belief, Defendant John L Loomis & Associates, PC is a "person" as defined by FCRA 1681(a), a Credit services organization as defined by Texas Finance Code 393.001(3); a "consumer" as defined by the Business

1 and Commerce Code Chapter 17, Subchapter E Section  
2 1745.(3)(4)

3 IV. Upon information and belief, 1<sup>ST</sup> Alliance Mortgage  
4 LLC/DBA Alliance Funding LLC is both a "person" as defined  
5 by FCRA 1681(a), is a furnisher of information as  
6 contemplated by FCRA 1681s-2(a)(b); who regularly and in  
7 the ordinary course of business furnishes information to  
8 one or more consumer reporting agencies about consumer  
9 transactions or experience with any consumer; a reseller as  
10 defined by FCRA 1681a(u) a "consumer" as defined by the  
11 Business and Commerce Code Chapter 17, Subchapter E Section  
12 1745.(3)(4)

13 V. Upon information and belief, Defendant, Kroll Factual  
14 Data Inc is a "person" as defined by FCRA 1681(a); a  
15 reseller as defined by FCRA 1681a(u) and is a furnisher of  
16 information as contemplated by FCRA 1681s-2(a)(b);

17 VI. Upon information and belief, Defendant, Jill  
18 Gallagher, is a "person" as defined by FCRA 1681(a) a  
19 reseller as defined by FCRA 1681a(u) and is a furnisher of  
20 information as contemplated by FCRA 1681s-2(a)(b); who regularly  
21 and in the ordinary course of business furnishes  
22 information to one or more consumer reporting agencies  
23 about consumer transactions or experience with any  
24 consumer. a "consumer" as defined by the Business and  
25 Commerce Code Chapter 17, Subchapter E Section 1745.(3)(4)

26  
27 VII. Upon information and belief, Lorenzo is a "person" as  
28 defined by FCRA 1681(a); a Credit services organization as  
29 defined by Texas Finance Code 393.001(3); a "consumer" as  
30 defined by the Business and Commerce Code Chapter 17,  
31 Subchapter E Section 1745.(3)(4)  
32

VIII. Plaintiff avers/contends and hereon alleges that the agreement upon which this action is based was made on or about August 13, 2009 and was to be performed by J B Black of John L Loomis & Associates, PC. Plaintiff relied on the false and misleading representation by J B Black that he or his company was License and Bonded Credit Service Organization and that they would be able to repair my credit and increase my credit score above 700.

IX. However, on or about September 2009 and much to my chagrin, I became aware of the deception, fraud and breach of agreement by defendant J B Black and John L. Loomis & Associates, PC. Plaintiff believes his cause of actions are based on the following:

1. Defendant J B Black was at no time during the contractual agreement with Plaintiff a registered credit services organization as required by Texas Finance Code 393.101
2. Defendant John L. Loomis & Associates, PC was at no time during the contractual agreement with Plaintiff a registered credit services organization as required by Texas Finance Code 393.101.
3. Defendant J B Black never provided Plaintiff with the required documents per Texas Finance Code 393.105; before executing the contract with Plaintiff nor after receiving valuable consideration from Plaintiff.
4. Defendant Lorenzo was at no time during the contractual agreement with Plaintiff a registered credit services organization as required by Texas Finance Code 393.101
5. Defendant Lorenzo never provided Plaintiff with the required documents per Texas Finance Code 393.105; before executing the contract with Plaintiff nor after receiving valuable consideration from Plaintiff.

- 1 6. Defendant J B Black made and used false and misleading  
2 representation to Plaintiff about his persons, company, and  
3 qualification in the sale of his services in violation Texas  
4 Finance Code 393.304; and engaged in fraudulent and deceptive  
5 act, practices or course of business in violation of Texas  
6 Finance Code 393.305 as evident by the notification from the  
7 Magistrate Judge for the Northern District of Texas-Dallas  
8 that his Fair Credit Reporting Act "FCRA"/Fair Debt  
9 Collections Practices Act "FDCPA" Complaint was erroneously  
10 filed in the wrong venue.
- 11 7. On or about Aug 13, 2009 Defendant J B Black willfully and  
12 negligently obtain Plaintiff's credit report without  
13 Plaintiff's permission in violation of FCRA 604 and Sections  
14 1681b (a)(3)(F) as evident by the Kroll Factual Data Report  
15 dated 8/13/09.
- 16 8. On or about Aug 13, 2009 Defendant Kroll Factual Data  
17 willfully and negligently obtain Plaintiff's credit report  
18 without Plaintiff's permission in violation of FCRA 604 and  
19 Sections 1681b (a)(3)(F) as evident by the Kroll Factual Data  
20 **"Report ID: A4406BX00137074"** dated 8/13/09.
- 21 9. On or about Aug 13, 2009 Defendant 1<sup>st</sup> Alliance Mortgage LLC  
22 willfully and negligently obtain Plaintiff's credit report  
23 without Plaintiff's permission in violation of FCRA 604 and  
24 Sections 1681b (a)(3)(F) as evident by the Kroll Factual Data  
25 **"Report ID: A4406BX00137074"** dated 8/13/09.
- 26 10. On or about Aug 13, 2009 Defendant Alliance Funding LLC  
27 willfully and negligently obtain Plaintiff's credit report  
28 without Plaintiff's permission in violation of FCRA 604 and  
29 Sections 1681b (a)(3)(F) as evident by the Kroll Factual Data  
30 **"Report ID: A4406BX00137074"** dated 8/13/09.
- 31 11. On or about Aug 13, 2009 Defendant Lorenzo willfully and  
32 negligently obtain Plaintiff's credit report without



1 Plaintiff's permission in violation of FCRA 604 and Sections  
2 1681b (a)(3)(F) by the Kroll Factual Data **"Report ID:**  
3 **A4406BX00137074"** dated 8/13/09.

4 12. On or about August 13, 2009 Defendant J B Black engage in  
5 False, Misleading, or deceptive acts or practices by (a.)  
6 causing confusion or misunderstanding as to the source,  
7 sponsorship, approval, or certification of his services (b.)  
8 causing confusion or misunderstanding as to affiliation,  
9 connection, association, or certification by another; (c.)  
10 use deceptive representation of designation of geographic  
11 origin of services; (d.) represented that his services have  
12 characteristic, ingredients, uses and benefits it does not  
13 and that he has approval, status, affiliation, and connection  
14 which he does not; (e.) represented that his services was of  
15 a particular standard, quality, when they were not; (f.)  
16 represented that agreement confers, involves rights,  
17 remedies, or obligations which is does not have or which is  
18 prohibited by law; (g.) failed to disclose information  
19 concerning services which was known at the time of  
20 transaction which if Plaintiff had known, would not have  
21 entered had the information been disclosed to Plaintiff; (h.)  
22 representing that services as evidence by Defendant J B  
23 Black's filing a claim on Plaintiff's behalf in the wrong  
24 venue/ District Court, et,. all in violation of Texas  
25 Business and Commerce Code Chapter 17; Subchapter E, section  
17.46 (b)(d)(2),(3),(4),(5),(7),(12), and (25).

26 13. On or about August 13, 2009 Defendant John L. Loomis &  
27 Associates, PC engage in False, Misleading, or deceptive acts  
28 or practices by (a.) causing confusion or misunderstanding as  
29 to the source, sponsorship, approval, or certification of his  
30 services (b.) causing confusion or misunderstanding as to  
31 affiliation, connection, association, or certification by  
32 another; (c.) use deceptive representation of designation of  
geographic origin of services; (d.) represented that his

1 services have characteristic, ingredients, uses and benefits  
2 it does not and that he has approval, status, affiliation,  
3 and connection which he does not; (e.) represented that his  
4 services was of a particular standard, quality, when they  
5 were not; (f.) represented that agreement confers, involves  
6 rights, remedies, or obligations which is does not have or  
7 which is prohibited by law; (g.) failed to disclose  
8 information concerning services which was known at the time  
9 of transaction which if Plaintiff had known, would not have  
10 entered had the information been disclosed to Plaintiff; (h.)  
11 representing that services as evidence by Defendant J B  
12 Black's filing a claim on Plaintiff's behalf in the wrong  
13 venue/ District Court, et,. all in violation of Texas  
14 Business and Commerce Code Chapter 17; Subchapter E, section  
15 17.46 (b) (d) (2), (3), (4), (5), (7), (12), and (25).

- 16 14. On or about August 13, 2009 Defendant Lorenzo engage in  
17 False, Misleading, or deceptive acts or practices by (a.)  
18 causing confusion or misunderstanding as to the source,  
19 sponsorship, approval, or certification of his services (b.)  
20 causing confusion or misunderstanding as to affiliation,  
21 connection, association, or certification by another; (c.)  
22 use deceptive representation of designation of geographic  
23 origin of services; (d.) represented that his services have  
24 characteristic, ingredients, uses and benefits it does not  
25 and that he has approval, status, affiliation, and connection  
26 which he does not; (e.) represented that his services was of  
27 a particular standard, quality, when they were not; (f.)  
28 represented that agreement confers, involves rights,  
29 remedies, or obligations which is does not have or which is  
30 prohibited by law; (g.) failed to disclose information  
31 concerning services which was known at the time of  
32 transaction which if Plaintiff had known, would not have  
entered had the information been disclosed to Plaintiff; (h.)  
representing that services as evidence by Defendant J B

1 Black's filing a claim on Plaintiff's behalf in the wrong  
2 venue/ District Court, et,. all in violation of Texas  
3 Business and Commerce Code Chapter 17; Subchapter E, section  
4 17.46 (b) (d) (2), (3), (4), (5), (7), (12), and (25).

5 15. On or about Aug 13, 2009 Defendant Jill Gallagher willfully  
6 and negligently obtain Plaintiff's credit report without  
7 Plaintiff's permission in violation of FCRA 604 and Sections  
8 1681b (a) (3) (F) as evident by the Kroll Factual Data "Report  
9 ID: A4406BX00137074" dated 8/13/09.

10 16. On or about August 13, 2009 Defendant Jill Gallagher  
11 engage in False, Misleading, or deceptive acts or practices  
12 by (a.) causing confusion or misunderstanding as to the  
13 source, sponsorship, approval, or certification of services  
14 (b.) causing confusion or misunderstanding as to affiliation,  
15 connection, association, or certification by another; (c.)  
16 represented that agreement confers, involves rights,  
17 remedies, or obligations which is does not have or which is  
18 prohibited by law; (d.) failed to disclose information  
19 concerning services which was known at the time of  
20 transaction which if Plaintiff had known, would not have  
21 entered had the information been disclosed to Plaintiff; all  
22 in violation of Texas Business and Commerce Code Chapter 17;  
23 Subchapter E, section 17.46  
24 (b) (d) (2), (3), (4), (5), (7), (12), and (25).

### 25 CONCLUSION

26  
27 Plaintiff is informed and believes and thereon alleges  
28 that at all relevant times each of the defendants was acting  
29 within the scope and course of his or her agency and employment.  
30 Plaintiff is informed and believes and thereon alleges that he  
31 entered into an agreement with Defendant J B Black who  
32 represented to Plaintiff that he was a credit expert who

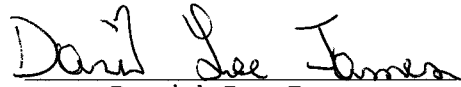
1 operated a licensed and bonded Credit Service Organization and  
2 for a fee would be able to provide credit repair services for  
3 Plaintiff. Defendant J B Black represented that he would also  
4 provide litigation services via District Court on my behalf.

5 These representations were false and Defendant J B Black  
6 knew the falsity of these statements at the time they were made.  
7 Plaintiff relied on the representations of defendant and would  
8 not have paid for services he would not receive. Also, Defendant  
9 J B Black willfully and negligently disclosed my personal data  
10 to Defendant Lorenzo of 1<sup>st</sup> Alliance Mortgage LLC/dba Alliance  
11 Funding LLC, who then fraudulently order my credit reports from  
12 Kroll Factual Data for a kick back from Defendant J B Black.  
13 Defendant Lorenzo of 1<sup>st</sup> Alliance Funding LLC, willfully and  
14 fraudulently produced loan documents in an effort to justify  
15 ordering Plaintiff's credit report from Kroll Factual Data in  
16 complete violation of Fair Credit Reporting Act.

17 Plaintiff believes the actions by both Defendant J B Black  
18 and Lorenzo to be malicious, fraudulent and oppressive  
19 justifying an award of punitive damages so that defendant and  
20 each of them will not engage in such conduct in the future and  
21 make and example of them.

22 WHEREFORE PLAINTIFF PRAYS judgment against defendants,  
23 injunctive relief against J B Black and Lorenzo in accordance  
24 with Texas Finance Code, Texas Business and Commerce, Fair  
25 Credit Reporting Act and any and all relevant laws to include  
26 referral of case to District Attorney for prosecution, punitive  
27 damages according to proof, all cost incurred herein, all costs  
28 for breach of contract and the value of its performance,  
29 attorney fees, costs and further relief as the court deems just  
30 and proper.  
31  
32

December 14, 2009

  
David L. James  
Plaintiff

### CLEINT AUTHORIZATION FORM

1. I/We authorize you, the client to provide to John L. Loomis & Associates P.C., Inc Information including, but not limited to: social security number, employment, income, assets, divorce/separation agreements, credit history documents including bankruptcy and/or foreclosure documentation as deemed necessary.
2. I/We hereby authorize John L. Loomis & Associates P.C., Inc. to act on the Clients' Behalf to obtain and verify such information listed above. Furthermore, I/We authorize John L. Loomis & Associates P.C., Inc., to pull and re-pull credit as deemed necessary to satisfy our obligation. I/We authorize John L. Loomis & Associates P.C., Inc. to repair and work on improving credit report as requested. I/We understand that, as with any loan application there is a possibility of credit scores either demonstrating an improvement or a decrease in score. I/We understand that both John L. Loomis & Associates P.C., Inc. are acting on good faith to improve credit scores a on your behalf, and hence will not hold either party liable if such incident may occur in the repair process. You the client herby allow John L. Loomis & Associates to file a federal lawsuit on your behalf to be deemed necessary to repair your credit.
3. A copy of this authorization may be accepted as an original.

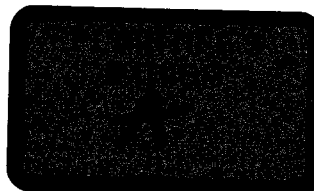
David James 8-13-09  
Clients Signature Date

DAVID James  
Clients Name

439-15-7294  
Social Security #

6785 meadowcrest Dr. Arlington Va. 76002  
Address

08-08-1967  
Date of Birth





<b>Kroll Factual Data</b>		<b>BUREAU</b>		Residential Merged Credit Report	
KROLL FACTUAL DATA, 5200 HAHNS PEAK DRIVE LOVELAND, CO 80538 (800)324-5085					
1ST ALLIANCE MORTGAGE, LLC - LAURENZO 2008 NORTH LOOP WEST STE 133 HOUSTON, TX 77018 (713)626-5700 (713)626-5715		Client Tracking lee_ID	Requested by llaurenzo	Report ID A4406BX00137874	
		Client Code 4406-HU1904	BK Date requested 08/13/2009 15:06:06	Charges 18.97	
Identification (as requested)					
Applicant's last name Lee	First name James	Middle David	Suffix	DOB 08/08/1967	Social Security 439-15-7294
Residence Information (as requested)					
Present	6735 Meadowcroft	Arlington	TX	76002	Telephone
File Variations					
Equifax	BQ1	439-15-7294	JAMES, DAVID	08/08/1967	08/13/09 15:06
Experian	BX1	439-15-7294	LEE, JAMES DAVID		08/13/09 15:06
Trans Union	BU1	439-15-7294	JAMES, DAVID LEE SR	08/08/1967	08/13/09 15:06
Credit Score Information					
586	Repository Equifax	Brand BEACON-5	Type FICO	439-15-7294	JAMES, DAVID
	38 - Serious delinquency, and derogatory public record or collection filed 18 - Number of accounts with delinquency 20 - Length of time since derogatory public record or collection is too short 10 - Proportion of balances to credit limits is too high on bank revolving or other revolving accounts FACTA: Inquiries impacted this score.				
569	Repository Experian	Brand Fair Isaac V2	Type FICO	439-15-7294	LEE, JAMES DAVID
	38 - Serious delinquency and public record or collection 18 - Number of accounts with delinquency 20 - Ratio of balance to limit on bank revolving or other rev accts too high 20 - Time since derogatory public record or collection is too short FACTA: TOO MANY INQUIRIES LAST 12 MONTHS				
569	Repository TransUnion	Brand Classic 04	Type FICO	439-15-7294	JAMES, DAVID LEE SR
	038 - Serious delinquency, and public record or collection filed 013 - Time since delinquency is too recent or unknown 010 - Proportion of balances to credit limits is too high on bank revolving or other revolving accounts 020 - Length of time since derogatory public record or collection is too short FACTA: Inquiries impacted the credit score.				
Public Records					
Tax Lien	BO1	Federal Tax lien	Docket # D209093715	Amount \$23875	Status Released
		Court type	Filed 10/01/2003		Status date 04/09
Tax Lien	BU1	Tax Lien	Docket # D203375806	Amount \$23875	Status Released
		Court type County Clerk	Filed 10/09/2003		Status date 04/09
Comments Attorney: B17278P266 Plaintiff: INTERNAL REVENUE SERVICE					
Tax Lien	BU1	Tax Lien	Docket # F203000505	Amount \$23875	Status Released
		Court type County Clerk	Filed 10/09/2003		Status date 04/09
Comments Plaintiff: INTERNAL REVENUE SERVICE					



Inquiry Information										
08/10/2009 CBDEL MARVA (BQ1)					07/29/2009 NOWGOM/SUPER IMPORTS (BX1)					
08/08/2009 CBDEL MARVA (BQ1)					08/08/2009 CREDIT PLUS (BX1)					
07/28/2009 TROPHY NISS (BQ1)					08/13/2009 FDC (BU1)					
07/23/2009 DISH NETWORK (BQ1)					08/10/2009 CBD (BU1)					
07/20/2009 DYN CABLE (BQ1)					07/28/2009 TROPHY NISSA (BU1)					
07/18/2009 CONN CREDI (BQ1)					07/16/2009 CAL LP (BU1)					
06/09/2009 STERLING (BQ1)					06/08/2009 CBD (BU1)					
08/10/2009 CREDIT PLUS (BX1)										
Credit History										
CITIFINANCIAL 6074302837165738	Opened 07/07	Reported 07/09	High balance 8,521	Reviewed 25 mos	30 0	60 0	90+ 0	Pastdue -0-	Payment 122X \$126	Balance 7,964
	Last active 07/09	BX1 BU1 BQ1 [Ind]	High limit —	Install (11) Unsecured						
	Unsecured									
PORTFOLIO RECVRY AFFL CAPIT78052165363892	Opened 04/09	Reported 08/09	High balance 1,496	Reviewed —	30 0	60 0	90+ 0	Pastdue 1,505	Payment Collection 08/09	Balance 1,505
	Last active 08/09	BX1 BU1 BQ1 [Ind]	High limit —	Install (19) Unknown						
	Capital One National Associati; Dispute resolved - consumer disagrees; CAPITAL ONE NATIONAL ASSOCIATI; Dispute resolved - customer disagrees; Consumer disputes after resolution; Closed 08/09									
APPLIED BANK 422709379737	Opened 12/01	Reported 12/06	High balance —	Reviewed —	30 2	60 2	90+ 3	Pastdue 1,087	Payment Profit & loss	Balance 1,087
	Last active 08/03	BX1 [Ind]	High limit 350	Revolv (R9) Credit card						
	Closed 12/06									
FST PREMIER 5178007613344936	Opened 10/06	Reported 07/09	High balance 540	Reviewed —	30 2	60 2	90+ 1	Pastdue 540	Payment Profit & loss	Balance 540
	Last active 03/08	BX1 BU1 [Ind]	High limit Unknown	Revolv (R9) Credit card	05/08 01/08	06/08 02/08	07/08			
	Profit and loss writeoff; Closed 06/09									
ATT 27611476	Opened 02/09	Reported 05/09	High balance —	Reviewed —	30 0	60 0	90+ 0	Pastdue 212	Payment Collection	Balance 212
	Last active 02/09	BQ1 [Ind]	High limit 212	Install (19) Unknown						
	Unpaid; Consumer disputed this account information; Closed 05/09									
CONN'S CREDIT CORP 366190130	Opened 07/09	Reported 07/09	High balance 156	Reviewed 1 mos	30 0	60 0	90+ 0	Pastdue -0-	Payment 012X \$13	Balance 156
	Last active 07/09	BX1 BU1 BQ1 [Ind]	High limit —	Install (11) Secured						
AMERICAN GENERAL FINAN. 3832163021497695	Opened 03/03	Reported 02/05	High balance 6,803	Reviewed 24 mos	30 0	60 1	90+ 3	Pastdue -0-	Payment 036X \$ —	Balance —
	Last active 10/05	BX1 [Joint]	High limit —	Install (15) Auto	06/04			07/04 120 days + 02/05 08/04		
	Paid; Closed 02/05									
AMERICAN GENERAL FINAN	Opened 11/02	Reported 03/03	High balance 3,929	Reviewed 6 mos	30 0	60 0	90+ 0	Pastdue -0-	Payment 036X \$ —	Balance -0-
	Last active 03/03	BX1 BU1 [Joint]	High limit —	Install (11) Household goods						

11021593040203859										Account closed 03/03; Refinanced						
AMERICAN GENERAL FINAN 4031593041272787	Opened 04/03	Reported 04/09	High balance 28,087	Reviewed 73 mos	30 1	60 1	90+ 4	Pastdue -0-	Payment 180X \$ —	Balance —						
	Last active 04/08	BX1 [Joint]	High limit —	Install (I) Secured												
	Paid; Closed 04/09															
CAP ONE 517805216536	Opened 03/02	Reported 04/09	High balance 705	Reviewed —	30 1	60 1	90+ 2	Pastdue -0-	Payment Collection 04/09	Balance -0-						
	Last active 05/04	BX1 BU1 [Ind]	High limit 325	Revol (R9) Credit card												
	Account transferred or sold; Account transferred or sold; Purchased by another lender; Closed 04/09															
CITIMORTGGE 771487213	Opened 12/06	Reported 07/09	High balance 99,750	Reviewed —	30 1	60 1	90+ 2	Pastdue -0-	Payment Foreclosure Paid	Balance -0-						
	Last active 08/07	BX1 BU1 BQ1 [Ind]	High limit —	Install (S) Mortgage (CNV)	08/07	09/07	10/07 08/07 120 days + 07/09 01/08 12/07 11/07									
	Foreclosure; Consumer disputes; Closed 04/08															
COLNIAL ML 448961	Opened 06/03	Reported 05/09	High balance 183,555	Reviewed 16 mos	30 1	60 1	90+ 4	Pastdue -0-	Payment Paid	Balance -0-						
	Last active 02/04	BX1 BU1 BQ1 [Joint]	High limit —	Install (S) Mortgage (FHA)	02/04	03/04	04/04 120 days + 07/04 06/04 05/04									
	Dispute resolved - consumer disagrees; Paid; Dispute resolved - customer disagrees; Consumer disputes after resolution; Account paid; Closed 09/04															
COLNIAL ML 197202	Opened 08/97	Reported 05/09	High balance 182,109	Reviewed 61 mos	30 1	60 0	90+ 0	Pastdue -0-	Payment 360X \$ —	Balance -0-						
	Last active 03/03	BX1 BQ1 [Joint]	High limit —	Install (I) Mortgage	01/03											
	Dispute resolved - consumer disagrees; Refinanced; Consumer disputes after resolution; Account paid; Closed 05/03															
CREDIT UNION OF TEXAS 543069072294	Opened 03/96	Reported 04/02	High balance —	Reviewed 74 mos	30 0	60 0	90+ 0	Pastdue -0-	Payment Paid	Balance -0-						
	Last active 04/02	BX1 [Ind]	High limit 2,700	Revol (R) Credit card												
	Account closed by credit grantor 04/02															
FIRST NATIONAL BANK 9548774	Opened 06/05	Reported 01/07	High balance 1,501	Reviewed 8 mos	30 0	60 0	90+ 0	Pastdue -0-	Payment Paid	Balance -0-						
	Last active 01/07	BX1 BU1 BQ1 [Ind]	High limit —	Install (I) Unknown												
	Account closed 01/07; Closed; Account paid; Deposit related															
JAREDS JEWELERS 3108707207	Opened 06/09	Reported 07/09	High balance —	Reviewed 2 mos	30 0	60 0	90+ 0	Pastdue -0-	Payment Paid	Balance -0-						
	Last active 07/09	BX1 BU1 BQ1 [Ind]	High limit 500	Revol (R1) Charge												

JUSTICE FINANCE COMPAN 82198	Opened 12/07	Reported 05/08	High balance 234	Reviewed 4 mos	30 0	60 0	90+ 0	Pastdue -0-	Payment Paid	Balance -0-
	Last active 04/08	BX1 [Ind]	High limit —	Install (I) Installment loan						
	Account closed 05/08									
NEW CENTURY MORTGAGE C 1011382513	Opened 12/06	Reported 04/07	High balance 99,750	Reviewed 5 mos	30 0	60 0	90+ 0	Pastdue -0-	Payment 600X \$ —	Balance -0-
	Last active 03/07	BX1 BU1 BU1 [Ind]	High limit —	Install (I1) Mortgage (CNV)						
	Account transferred or sold; Account transferred or sold; Transferred to another lender; Closed 04/07									
OFFICE OF THE ATTY GEN 545358481	Opened 07/05	Reported 07/09	High balance —	Reviewed 51 mos	30 1	60 0	90+ 0	Pastdue -0-	Payment Paid	Balance -0-
	Last active 06/09	*BX1 *BU1 *BU1 [Ind]	High limit —	Install (I1) Support						
	Dispute resolution pending; Consumer disputes									
TIDE FINANCE 3447148405	Opened 09/02	Reported 07/09	High balance 2,995	Reviewed —	30 —	60 —	90+ —	Pastdue -0-	Payment Profit & loss Paid	Balance -0-
	Last active 07/09	BU1 *BU1 [Cosigned]	High limit Unknown	Revol (R) Charge						
	Closed 08/04									
TOTALS		High credit		High balance				Pastdue	Payment	Balance
		4,087		480,122				3,344	139	11,464

<b>Creditor Information</b>	
<p>CAP ONE PO BOX 85520, RICHMOND, VA 23285 CITIFINANCIAL (800)822-8235 PO BOX 499, HANOVER, MD 21076 CITIMORTGE (800)263-7918 PO BOX 9438, GAITHERSBURG, MD 20898 COLNIAL-ML (817)390-2366 2600 WEST HWY, FORT WORTH, TX 76102 CONNIS CREDIT CORP (409)832-1696 3295 COLLEGE ST, BEAUMONT, TX 77701 CREDIT PLUS (410)742-9551 31550 WINTERPLACE PKWY, SALISBURY, MD 21804 CREDIT UNION OF TEXAS (972)989-9186 PO BOX 515169, DALLAS, TX 75251 FIRST NATIONAL BANK (254)934-2161 PO BOX 937, KILLEEN, TX 76540</p>	<p>FST PREMIER (805)357-3440 601 S MINNESOTA AVE, SIOUX FALLS, SD 57104 JAREDS JEWELERS 375 GHEIN RD, AKRON, OH 44333 JUSTICE FINANCE COMPAN PO BOX 3970, DALLAS, TX 75208 NEW CENTURY MORTGAGE C (949)440-7030 18400 VON KARMAN AVE STE, IRVINE, CA 92612 NOWCOM/SUPER IMPORTS (817)861-2520 1102 W DIVISION ST, ARLINGTON, TX 76012 OFFICE OF THE ATTY GEN PO BOX 12017, AUSTIN, TX 78711 PORTFOLIO RECVRY AFFL (800)772-1413 120 CORPORATE BLVD STE 1, NORFOLK, VA 23502</p>
<b>TruAlert - Applicant</b>	
<b>SocialID</b>	
SSN Validation	Deceased Flag
SSN 439-15-7294 was issued 1974 - 1974 in Louisiana	SSN 439-15-7294 has not been reported as deceased
Recent Change of Address found	Potential DOB found
No information found.	DOB not found
FKA / AKA Records found	
None found.	
SSN	Name
439-15-7294	JAMES LAR
Address	
1605 BARCLAY DR, ARLINGTON, TX 76018	
<b>OFAC Compliance</b>	
Applicant input name checked. No similar records found in OFAC's SDN list.	
File Variations	
File Variations checked. No similar records found in OFAC's SDN list.	

<b>AKA Records</b>							
AKA records checked. No similar records found in OFAC's SDN list.							
The TruAlert products (RiskID and SocialID) cannot be used as factors in establishing a customer's eligibility for credit, residence, or employment.							
<b>AKA</b>							
AKA: JAMES, DAVID							
Similar Name: DAVID, JAMES							
BX1							
AKA: DAVID, JAMES							
AKA: DAVID, DAVID, LEE							
BU1							
<b>Comments</b>							
TransUnion Alert: Surname mismatch alert: The input surname does not match the file surname.							
BU1							
<b>Fraud Search</b>							
TransUnion High Risk Fraud Alert was completed on applicant by searching applicant's name, social security number and address. No fraudulent activity was found.							
BU1							
<b>Database Residence Information</b>					First	Last	
6735 MEADOWCREST DR	ARLINGTON	TX	76002	07/09	08/09	BQ1 BX1 BU1	
121 FORT EDWARD DR	ARLINGTON	TX	760024493	06/05	06/08	BX1 BU1	
311 S INDUSTRIAL BLVD APT 101	EULESS	TX	760404231	05/91	06/07	BX1	
2100 S GREAT SW THE SIZZLIN STYLE PY	GRAND PRAIRIE	TX	75051	—	—	BU1	
<b>Database Employment Information</b>					First	Last	
121 FORT EDWARD				—	—	BQ1	
	TECCOR			—	—	BQ1	
TX SEMICONDUCTORS				—	—	BQ1	
LEAR CORP				—	—	BU1	
SELF				—	—	BU1	
<b>Summary Information</b>							
General summations	03/98 Oldest tradeline date	Payment summaries	0 Open revolving payments				
	3 Public records		130 Open installment payments				
	15 Number of inquiries 90 days		130 Total open payments				
Late payments	4 Payments 30 to 59 days late	Balance owed	0 Balance monthly owed				
	3 Payments 60 to 89 days late		1,627 Revolving balance owed				
	11 Payments 90 to 119 days late		9,837 Installment balance owed				
	5 Payments 120 and over days late		11,484 Total balance owed				
Trades numbers	1 Number of open revolving trades	Amount past due	1,627 Revolving amount past due				
	3 Number of open installment trades		1,717 Installment amount past due				
	0 Number of balance monthly trades		0 Balance monthly amount past due				
	4 Total number of trades		3,344 Total amount past due				
Adverse trade lines	3 Number of collection trade lines	High credit balance	3,875 Revolving credit limit				
	0 Number of bankruptcy trade lines		4,240 Revolving high balance				
	1 Number of foreclosed trade lines		456,004 Installment high balance				
	3 Number of profit and loss trade lines		0 Balance monthly high balance				
	0 Number of repossession trade lines						
	12 Number of adverse trade lines						
	20 Total number of trade lines						
<b>Information Sources</b>							
This report includes information retrieved from the following repository(ies):							

**Notice To Home Loan Applicant**

**1ST ALLIANCE MORTGAGE, LLC - LAURENZO**  
**2000 NORTH LOOP WEST STE 133**  
**HOUSTON, TX 77018**  
**(713)626-5700**

**Score Date: 08/13/2009**  
**Report ID: A4406BX00137074**

**James David Lee**  
**6735 Meadowcroft**  
**Arlington, TX 76002**

In connection with your application for a home loan, the lender must disclose to you the score that a consumer reporting agency distributed to users and the lender used in connection with your home loan, and the key factors affecting your credit scores.

The credit score is a computer generated summary calculated at the time of the request and based on information that a consumer reporting agency or lender has on file. The scores are based on data about your credit history and payment patterns. Credit scores are important because they are used to assist the lender in determining whether you will obtain a loan. They may also be used to determine what interest rate you may be offered on the mortgage. Credit scores can change over time, depending on your conduct, how your credit history and payment patterns change, and how credit scoring technologies change.

Because the score is based on information in your credit history, it is very important that you review the credit-related information that is being furnished to make sure it is accurate. Credit records may vary from one company to another.

If you have questions about your credit score or the credit information that is furnished to you, contact the consumer reporting agency at the address and telephone number provided with this notice, or contact the lender, if the lender developed or generated the credit score. The consumer reporting agency plays no part in the decision to take any action on the loan application and is unable to provide you with specific reasons for the decision on a loan application.

If you have questions concerning the terms of the loan, contact the lender.

For your convenience we have provided the addresses for the three national repositories as well as the credit score developer.

**Experian**  
**PO Box 2002**  
**Allen, TX 75013**  
**(888) 397-3742**  
**www.experian.com**

**TransUnion**  
**PO Box 1000**  
**Chester, PA 19022**  
**(800) 916-8800**  
**www.transunion.com**

**Equifax**  
**PO Box 740241**  
**Atlanta, GA 30374**  
**(800) 885-1111**  
**www.equifax.com**

**Fair Isaac**  
**200 Smith Ranch Road**  
**San Rafael, CA 94903**  
**(800) 777-2066**  
**www.myfico.com**



\*The information and credit scoring model may be different than the credit score that may be used by the lender.

**Information regarding your credit score is below:**

Credit Score Information					
586	Repository	Brand	FICO Range	XXX-XX-7294	JAMES, DAVID
	Equifax	BEACON 5	300-850		
	38 - Serious delinquency, and derogatory public record or collection filed				
	18 - Number of accounts with delinquency				
	20 - Length of time since derogatory public record or collection is too short				
569	10 - Proportion of balances to credit limits is too high on bank revolving or other revolving accounts				
	FACTA: Inquiries impacted this score.				
	Repository	Brand	FICO Range	XXX-XX-7294	JAMES, DAVID LEE SR
	TransUnion	Classic 04	336-843		
	036 - Serious delinquency, and public record or collection filed				
	013 - Time since delinquency is too recent or unknown				
	010 - Proportion of balances to credit limits is too high on bank revolving or other revolving accounts				
	020 - Length of time since derogatory public record or collection is too short				
	FACTA: Inquiries impacted the credit score.				
	Repository	Brand	FICO Range	XXX-XX-7294	LEE, JAMES DAVID
	Experian	Fair Isaac V2	300-850		


Page 8 of 8

569	38 - Serious delinquency and public record or collection 18 - Number of accounts with delinquency 10 - Ratio of balance to limit on bank revolving or other rev accts too high 20 - Time since derogatory public record or collection is too short
FACTA: TOO MANY INQUIRIES LAST 12 MONTHS	



**Department of Energy,  
Labor & Economic Growth**

**Michigan.gov**  
The Official State  
of Michigan Website

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**CORPORATE ENTITY DETAILS**

**Searched for:** JOHN L. LOOMIS & ASSOCIATES P.C.

**ID Num:** 130397

**Entity Name:** JOHN L. LOOMIS & ASSOCIATES P.C.

**Type of Entity:** Domestic Professional Service Corporation

**Resident Agent:** JOHN L. LOOMIS

**Registered Office Address:** 900 WILSHIRE DR STE 202 TROY MI 48084

**Mailing Address:**

**Formed Under Act Number(s):** 192-1962 327-1931

**Incorporation/Qualification Date:** 8-5-1969

**Jurisdiction of Origin:** MICHIGAN

**Number of Shares:** 50,000

**Year of Most Recent Annual Report:** 08

**Year of Most Recent Annual Report With Officers & Directors:** 08

**Status:** ACTIVE **Date:** Present

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Taxable Entity Search Results

## Franchise Tax Certification of Account Status

**This Certification Not Sufficient for Filings with Secretary of State**

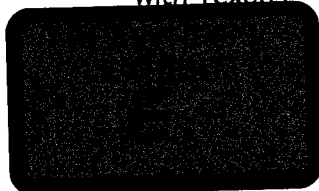
Do **not** include a certificate from this Web site as part of a filing with the Secretary of State for dissolution, merger, withdrawal, or conversion. The Secretary of State will reject a filing that uses the certification from this site.

To obtain a certificate that is sufficient for dissolution, merger, or conversion, see Publication 98-336d, Requirements to Dissolve, Merge or Convert a Texas Entity.

Certification of Account Status	Officers And Directors Information
Entity Information:	<b>1ST ALLIANCE MORTGAGE LLC DBA ALLIANCE FUNDING LLC</b> 2000 NORTH LOOP W STE 133 HOUSTON, TX 77018-8165
Status:	<b>IN GOOD STANDING NOT FOR DISSOLUTION OR WITHDRAWAL through November 16, 2009</b>
Registered Agent:	JILL GALLAGHER 2000 NORTH LOOP WEST, STE 133 HOUSTON, TX 77018
Registered Agent Resignation Date:	
State of Formation:	DE
File Number:	0800308982
SOS Registration Date:	February 25, 2004
Taxpayer Number:	13000380736

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Taxable Entity Search Results

## Franchise Tax Certification of Account Status

**This Certification Not Sufficient for Filings with Secretary of State**

Do **not** include a certificate from this Web site as part of a filing with the Secretary of State for dissolution, merger, withdrawal, or conversion. The Secretary of State will reject a filing that uses the certification from this site.

To obtain a certificate that is sufficient for dissolution, merger, or conversion, see Publication 98-336d, Requirements to Dissolve, Merge or Convert a Texas Entity.

**Certification of Account Status****Officers And Directors Information**

## Entity Information:

**KROLL FACTUAL DATA, INC**  
5200 HAHNS PEAK DR STE 200  
LOVELAND, CO 80538-8853

## Status:

**IN GOOD STANDING NOT FOR  
DISSOLUTION OR WITHDRAWAL  
through November 16, 2009**

## Registered Agent:

CORPORATION SERVICE COMPANY  
D/B/A CSC-LAWYERS INCO  
701 BRAZOS STREET, SUITE 1050  
AUSTIN, TX 78701

## Registered Agent Resignation Date:

## State of Formation:

CO

## File Number:

0012873106

## SOS Registration Date:

September 28, 1999

## Taxpayer Number:

18414499113

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CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

David Lee James

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

DEFENDANTS JB Black eKA James Black/James B Black  
Individually, John L. Lee 2009 DEES-11-11-11, He, Laurenzo,  
Individually, IFA Alliance Mortg LLC DBA Alliance Funding  
LLC, Jill Gallagher, Kroll Federal Credit Assoc INC and DCS 1-10  
County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

4-09 CV-776-Y

II. BASIS OF JURISDICTION

(Place an "X" in One Box Only)

☐ 1 U.S. Government Plaintiff

☒ 3 Federal Question (U.S. Government Not a Party)

☐ 2 U.S. Government Defendant

☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

(Place an "X" in One Box for Plaintiff and One Box for Defendant)

(For Diversity Cases Only)

Citizen of This State

PTF DEF  
A 1 X 1

Incorporated or Principal Place of Business In This State

PTF DEF  
4 4

Citizen of Another State

☐ 2 ☐ 2

Incorporated and Principal Place of Business In Another State

☐ 5 ☐ 5

Citizen or Subject of a Foreign Country

☐ 3 ☐ 3

Foreign Nation

☐ 6 ☐ 6

IV. NATURE OF SUIT

(Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input checked="" type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury <b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input checked="" type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input checked="" type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	

V. ORIGIN

(Place an "X" in One Box Only)

☒ 1 Original Proceeding

☐ 2 Removed from State Court

☐ 3 Remanded from Appellate Court

☐ 4 Reinstated or Reopened

☐ 5 Transferred from another district (specify)

☐ 6 Multidistrict Litigation

☒ 7 Appeal to District Judge from Magistrate Judgment

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

VI. CAUSE OF ACTION

Brief description of cause:

Fair Credit Reporting Act Texas Finance Code & Texas Business and commerce code

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

Magistrate

DOCKET NUMBER

3-09-CV-1661-K

DATE

12-30-2009

SIGNATURE OF ATTORNEY OF RECORD

David Lee James

FOR OFFICE USE ONLY

RECEIPT #

10243

AMOUNT

7350

APPLYING IFP

JUDGE

MAG. JUDGE

**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44****Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

**I. (a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

**II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.C.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

**III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

**IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

**V. Origin.** Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

**VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553  
Brief Description: Unauthorized reception of cable service

**VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

Demand. In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

**VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.